

8/13/2014

***Request for Proposals
Solar Photovoltaic Installation
Town Of Egremont***

**Awarding Authority: Town of Egremont Board of Selectmen
Egremont Town Hall
PO Box 368
171 Egremont Plain Road
South Egremont, MA 01258
RFP Contact Person: Juliette Haas, Sustainability Coordinator
Email: jhaas@egremont-ma.gov
Telephone: 413-528-0182 x 22**

Through this Request for Proposals (RFP) under M.G.L. c. 25A sect 11c The Egremont Board of Selectmen intends to solicit proposals on behalf of the Town of Egremont to:

- Utilize funding of \$6100 awarded and secured by the Department of Energy Resources (DOER) and additional available funding of \$1250 supplied by the Commonwealth Solar II Rebate program to install a 9.9kw, or larger, Solar Photovoltaic Array System at the Egremont Water Treatment Plant located at 133 Mt. Washington Road in Egremont Massachusetts.
- Market the Solar Renewable Energy Certificates "SRECs" at competitive prices with the Hampshire County of Governments through its regional SREC Brokering Program.
- Complete the installation and interconnect with National Grid by February 15, 2015.

RFP's are to be labeled, "TOWN OF EGREMONT, REQUEST FOR PROPOSAL FOR PHOTOVOLTAIC (PV) SYSTEMS (RFP-PVS) TO BE INSTALLED ON THE EGREMONT WATER TREATMENT PLANT."

The Town of Egremont (Awarding Authority) seeks proposals, pursuant to M.G.L. c. 25A, §11C, from qualified, interested parties (individually a "Respondent") with one ultimately selected to serve as a contractor ("Contractor"), to design, procure, install, test, commission, interconnect to the electric company National Grid a solar PV power generating system ("PV System") with guaranteed onsite energy generation at the Egremont Water Treatment Plant ("Facility").

Proposals are due at the offices of the Egremont Town Hall by October 1, 2014 1 P.M. at which time they will be opened by the Town of Egremont Chief Procurement Officer and Sustainability Coordinator. The Awarding Authority intends to select and enter into a contract with the most

highly qualified Respondent pursuant to the evaluation criteria set forth in this Request for Proposal (“RFP”).

Juliette Haas, Sustainability Coordinator, Town of Egremont

Bruce Turner, Chairman Egremont Board of Selectmen 7/31/2014

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- Market the Solar Renewable Energy Certificates “SRECs” at competitive prices with the Hampshire County of Governments through its regional SREC Brokering Program
- Complete the installation and interconnect with National Grid by February 15, 2015.

1.0 Projected Selection Timeline

RFP Available: August 15, 2014

RFP will be emailed to Solar Vendors, as well as through the Solar Energy Business Association of New England as well as announced in the local newspaper, posted on the town web site and Central Register two weeks prior to opening date.

Parties interested in performing site assessments of the Egremont Water Treatment Plant building will contact the Town’s Sustainability Coordinator to schedule an appointment. The scheduled site assessment date will be September 8, 2014 between the hours at 10 am – 12 noon. Parties will call before that date to schedule an appointment.

**Egremont Water Treatment Plant
133 Mt. Washington Road**

South Egremont, MA 01258

RFP Contact Person: Juliette Haas, Sustainability Coordinator, Town of Egremont

Email: jhaas@egremont-ma.gov

Telephone: 413-528-0182 x 22

Proposals Due / Public Opening of Proposals: Wednesday October 1, 2014, 1 PM

Location: Egremont Town Hall, 171 Egremont Plain Road, Meeting Room

Anticipated interview period: October 2 to October 17, 2014, by appointment

Anticipated Award Date: Monday October 20, 2014, 7 PM Egremont Town Hall

2.0 Project Background

The Town of Egremont Water Treatment Plant was constructed in 1998. It is a single story building constructed of cinder block with the original metal roof.

3.0 Solar Photovoltaic Addition Rationale

The Town of Egremont anticipates the installation of a 9.9 kW or larger solar array at the Egremont Water Treatment Plant will reduce the buildings energy costs by at least 42%. In addition to the energy dollar savings the Town is eager to continue reducing its overall energy demand and lower its total carbon footprint.

4.0 Procurement Schedule

A. Site Assessment

A site assessment is expected to be performed by all Respondents. The dedicated assessment date will be Monday September 8, 2014 from 10 am to 12 noon. Contact the Town's Sustainability Coordinator Juliette Haas at (413) 528-0182 x 22 or jhaas@egremont-ma.gov to schedule an appointment.

B. Submission of Proposal.

Each Respondent must submit its Proposal completed according to the requirements set forth. Respondents shall be evaluated only on the criteria set forth in this RFP.

Each Respondent's Proposal must be submitted in a sealed outer package and received by the Awarding Authority at The Town of Egremont, Attn: Juliette Haas, PO Box 368 South Egremont, MA 01258 by 1 pm on October 1, 2014 ("Public Opening Date"). Each Respondent's Proposal

must be clearly marked "TOWN OF EGREMONT, REQUEST FOR PROPOSAL FOR PHOTOVOLTAIC (PV) SYSTEMS (RFP-PVS) TO BE INSTALLED ON EGREMONT WATER TREATMENT PLANT."

A Proposal shall include five (5) hard copies. No faxed submissions will be accepted. The Chief Procurement Officer and Sustainability Coordinator will open all proposals at 1 PM on the Public Opening Date at the above listed location. The Awarding Authority will not consider Proposals received after the Public Opening Date.

The Awarding Authority may cancel this RFP, or may reject in whole or in part any and all Proposals if the Awarding Authority determines that cancellation or rejection is in the best interest of the Awarding Authority.

C. Selection of Contractor.

The Board of Selectmen, the town's Chief Procurement Officer, the Sustainability Coordinator and one member of the Egremont Green Committee will evaluate all responses based upon the criteria listed in this RFP. The Awarding Authority reserves the right to waive any technical defect or minor informality in responses.

Following selection of a Contractor, the Contractor and the Town of Egremont will negotiate and execute Contracts for the PV Systems at the Egremont Water Treatment Plant. If the Awarding Authority determines that an acceptable agreement cannot be reached with the selected Contractor the Awarding Authority may initiate negotiations with the second ranked Respondent for the proposed PV System.

5.0 Purpose and Basic Project Structure

The purpose of the Project is to install a 9.9kw minimum Solar Photovoltaic System at the Egremont Water Treatment Plant at 133 Mt. Washington Road in Egremont, Massachusetts.

The basic Project structure will consist of a Contract(s) between The Town and the selected Contractor governing the design, procurement, installation, testing, commissioning and interconnect with the power company of a PV System.

The Contractor shall propose a structure which is financially advantageous to make this project viable. The Contract will address onsite usage of power and potential net metering of the excess energy.

It is expected that the Respondent's Proposal will address previously mentioned DOER funding and Commonwealth Solar II incentives, rebates, and other benefits that are available and/or may become available in the future with respect to the Project.

6.0 Pre-Bid Inquiries

All questions and inquiries concerning this RFP should be submitted in writing or electronic form no later than 1 P.M. Tuesday September 16, 2014 to:

Town of Egremont, Egremont Town Hall, PO Box 368, South Egremont, MA 01258 Juliette Haas, Sustainability Coordinator Email: jhaas@egremont-ma.gov Telephone: 413-528-0182 x 22

Responses to all Inquiries will be posted on the town web site www.egremont-ma.gov site no later than Tuesday September 23, 2014, 1 P.M.

The subject line of the writing or e-mail should reference "Egremont RFP-PV: Pre-Submission Inquiries." Telephone or other such inquiries will not be answered. Inquiries will not be answered directly. It is the responsibility of the Respondent to check the web site prior to the submittal deadline.

The Awarding Authority reserves the right to amend this RFP based on questions and issues raised prior to and at the pre-bid conference.

7.0 Terms of Submission

This RFP is issued and will be awarded and administered in accordance with applicable procurement laws, including M.G.L. c. 25A, §11C. Prior to the submission of a Proposal, each Respondent will make and will be deemed to have made a careful examination of the scope of work, the location and nature of the proposed construction. Each Respondent is responsible for obtaining data concerning conditions at the site.

The Awarding Authority will not reimburse Respondents for any costs incurred in preparing Proposals in response to this RFP, including site visits or preliminary engineering analyses. These costs, expenses or other amounts may not be recouped under the Contract.

The Awarding Authority reserves the sole discretion unto itself to modify or amend any term in this RFP, including but not limited to, any date contained in the Projected Selection Timeline. The Awarding Authority reserves the right to reject all Proposals and waive minor irregularities in the Proposals. The Awarding Authority reserves the right to cancel this RFP at any time.

8.0 Withdrawal of Bid Proposals

A Proposal may be withdrawn at any time prior to 1 PM, October 1, 2014 by means of a written request signed by the authorized representative of the Respondent and delivered to the RFP Contact Person, Juliette Haas , Sustainability Coordinator (see address on first page of this RFP). The withdrawal of a Proposal will not prejudice the rights of a Respondent to file a new

Proposal provided that it is received prior to 1 PM on October 1, 2014. No Proposal may be withdrawn after 1 PM October 1, 2014.

9.0 Required Services

9.1 Scope of Work

A. PV System Installation.

Pursuant to the Contract, the Contractor shall provide a complete “turn-key” PV System to the Awarding Authority. Installation includes the design, engineering, site preparation, physical construction and wiring, testing, utility interconnection, all permitting and local utility arrangements necessary to effect construction and utility interconnection, data acquisition system (“DAS”) installation with on-line monitoring contract to accompany the life of the PV System, and appropriate warranties.

The Contractor shall train Awarding Authority or staff at the Facility awarded to the Contractor on operations of the PV System. The training shall cover principles of operation, routine maintenance requirements, on-line data monitoring system, and safety issues that are specific to the PV System installed. An operations manual to accompany the training will be delivered.

B. Performance Guarantee.

The Proposal must include a guaranteed annual energy output for the PV System together with an annual system degradation factor to ensure that the purpose of the Project is met.

C. Utility Interconnection and Net Metering.

The Contractor is responsible for all aspects of the local electric utility interconnection. An application must be submitted to the local electric utility to start the formal interconnection process, and sufficient lead time should be allowed to successfully achieve interconnection based on the local electric utility interconnection standards. All PV Systems must have an appropriate electric utility interconnection agreement in place at the time of interconnection to the local electric utility system.

9.2 Mandatory Contract Terms

Terms of the Contract must conform to the terms included in the RFP. Terms that do not conform to the terms set forth in this RFP shall be considered void.

10.0 Proposal Format

General Requirements

Respondents are required to submit proposals that fully comply with the requirements set forth in this RFP. In addition, alternative proposals may also be offered if the Respondent feels such proposals provide measurable value to the Awarding Authority; however, such alternative proposals must meet the full requirements of the RFP.

10.1 Specific Requirements

A. Minimum Required Items.

1. The Proposal must be submitted with a proposal cover letter in which total project cost will be stated. The Respondent will attach to the proposal cover letter evidence of authorization to execute and deliver the Proposal and the Contract to be awarded. The proposal cover letter will identify its authorized representative(s).
2. Itemized list of materials and equipment that will be used.
3. Substantial conformity with the specifications and other conditions set forth in the RFP.
4. References of other contracts performed.
5. Financial statements for three years.
6. Certificate of Non-Collusion (See Attachment).
7. Attestation Regarding Filing of Tax Returns (See Attachment).
8. Methodology of determining energy generation.
9. Time specified in the Proposal for the performance of the Contract.

B. Other Required Items.

1. Evidence of bond capability for 100% of the Contract price from a surety company licensed to do business in the Commonwealth and whose name appears on United States Treasury Department Circular 570. Please provide the cost or fee your firm will charge for the performance and payment bonds as a percentage of the construction costs.
2. Form of legal entity and year entity was established.
3. Describe any changes in ownership status over the past ten (10) years.
4. Other entity names, if any.
5. Federal Tax Identification Number for Respondent.

6. Lawsuits and Disputes. Discuss whether your firm or a subcontractor included in your Proposal has ever been involved in a lawsuit or dispute regarding a contract. If so, please provide all such incidents and describe the circumstances and outcomes of such lawsuit or litigation. Further, please discuss whether your firm or a subcontractor included in your Proposal has been barred from providing performance contracting or other services in any states.

C. Management and Performance Capabilities.

1. Describe the general reputation and performance capabilities of the firm and explain how these characteristics translate to optimizing results for the Awarding Authority.
2. Provide the number of years respondent has been engaged in providing services.
3. Provide the number of projects and aggregate dollar value of projects implemented by Respondent each year for the past three (3) years.
4. Provide the number of full-time personnel employed by the Respondent.
5. Provide the number of full-time personnel located in any applicable local or branch office to be utilized for the Awarding Authority's Project, and the site address of that local or branch office.

D. Experience and Project References.

1. Fully describe five (5) similar contracts that Respondent has implemented within the last three (3) years and the services performed for each. Please include the following detailed project information for all three (3): a brief description of property, owner name, address and telephone number, designer or engineer, customer name, the size of the PV system, project start and end dates, total project cost at proposal stage, total final project cost, projected annual electricity generation, actual realized annual cost savings to date (if known), and any annual savings shortfalls (if known). Respondent must also indicate whether the project was completed on schedule and on budget, and if not, explain the reasons for such delay or budget noncompliance.

10.2 PV System Design Experience.

Describe capability to design and engineer PV Systems up to 25 kW in size.

10.3 PV System Construction Experience.

Describe capability to construct PV Systems up to 25 kW in size.

10.4 PV System Supply Experience.

- a. Describe supply contracts or actual PV panel supply and inverter supply for PV power generation up to 25 kW in size.
- b. List PV panel types and sizes actually priced or procured and past experience with these technologies.

10.5 References

Provide three (3) references for the Respondent for other customers who retained the Respondent for the design and/or installation of a solar power generation system in the size range of the PV Systems identified in this RFP. Provide references for each key person proposed in the submittal to be part of the project team, including the proposed role for each such individual. For each, please include the names, addresses, email addresses and telephone numbers for reference. It is understood that the Awarding Authority may contact any or all of the above references regarding the Project and personnel performance as part of the RFP submittal review process.

E. Construction and Commissioning.

1. Provide a detailed description the proposed PV System, including the proposed technology, scope, features, installed capacity, and all equipment to be installed.
2. Provide a description of the proposed site preparation work.
3. Provide a detailed design and construction schedule for the proposed PV System, including the design, permit application(s) and approval(s), electric interconnection application and approval, equipment procurement, installation, interconnection, testing commissioning and all other tasks, including the forecasted substantial completion date for the PV System.
4. Describe approach to handling construction debris, recycling, and disposition.
5. Identify whether third-party engineering work will be employed.

G. Methodology of Determining and Guaranteeing Electricity Generation.

M.G.L. c. 25A, §11C requires that methods for monitoring, measurement, and verification of guaranteed energy generation shall conform to the most recent Performance Measurement & Verification Protocol and standards established by the Federal Energy Management Program of the U.S. Department of Energy.

1. Describe in detail the methodology to determine energy savings.

2. List any metering devices, communications systems and other monitoring tools or systems, the cost thereof and the economic value added to the Project. Note that a DAS is required.

H. Power Generation.

1. Provide the energy production capacity (kW).
2. Describe experience in analysis, design, installation and follow-up services of power generation facilities.

I. Service and Maintenance.

In your responses to the following, include a description of experience with ensuring that equipment warranties and maintenance records are maintained and the requirements of a guaranteed annual energy output are met.

1. Describe the warranty and replacement parts that will be provided for the PV System.
2. Provide a sample operation and maintenance manual(s) for a PV system of a size similar to the PV System proposed by the Respondent.

J. Pricing Structure.

Provide a price that includes the furnishing of all materials, services, labor, performance and payment bonds, insurance, warranties and other costs incurred in the performance of the Contract, signed by an individual authorized to bind the Respondent contractually. The price must be inclusive of all costs including overhead, travel, local transportation, supplies, prevailing wages, and materials.

11.0 Confidentiality/Public Records Law

Any materials submitted to the Town of Egremont will be assumed to be subject to the provisions of the Massachusetts Public Records Law (M.G.L. c. 66, §10) and any other laws and regulations applicable to the disclosure of documents submitted under the RFP.

12.0 Evaluation of Each Respondent's Proposal

The Selection Committee will evaluate proposals in accordance with the criteria of this RFP. If the Selection Committee awards a Contract to a Respondent that did not submit the lowest price, the Selection Committee shall set forth a written explanation of the reasons for the award.

The goal of this RFP is to provide the best value of services to achieve the procurement goals of the Awarding Authority. A Respondent that proposes alternatives which provide substantially

better or more cost effective performance than achievable under a stated RFP specification, or that proposes discounts, uncharged services or other benefits in addition to the RFP specifications may receive a preference under this RFP. During the evaluation process, the Awarding Authority reserves the right to request additional information or clarification from any Respondent, or to allow corrections of errors or omissions.

13.0 Evaluation Criteria

The Town will determine the most advantageous proposal from a Respondent taking into consideration price and all evaluative criteria set forth in the RFP and other relevant information. The Selection Committee shall review each proposal to ascertain whether or not the following minimum criteria have been met:

The proposal includes all of the items for a complete proposal.

The proposer meets the minimum qualifications as outlined above (Specific Requirements 10.1 and PV System Design Experience 10.2)

The Selection Committee shall rank each proposal meeting the Proposal Requirements according to the Evaluation Criteria listed below:

13.1 Depth and Quality of Project Experience

A highly advantageous proposal will list five (5) or more similar projects

An advantageous proposal will list three (3) or more similar projects

A non-advantageous proposal will list fewer than three (3) similar projects

13.2 Qualifications of the Respondent

The Selection Committee will review resume(s) looking for the level of training, educational background and work experience appropriate to the project described herein and the level all key project personnel demonstrate professional experience.

13.3 Overall Quality of Client References

References will be contacted and asked about the work performed by the Respondent and the timeliness of the project product delivery.

A highly advantageous proposal's references will indicate that the Respondent exceeded the client's expectations in these aspects of work: ease of working relationship, appropriate and timely communication, receptiveness to client's ideas and/or criticism, quality of work performed, adherence to budget and project timeline.

An advantageous proposal's references will indicate that the Respondent met the client's expectations in the these aspects of work: ease of working relationship, appropriate and timely communication, receptiveness to client's ideas and/or criticism, quality or work performed, adherence to budget and project timeline.

A non-advantageous proposal's references will indicate that the Respondent failed to meet the client's expectations in these aspects of work: ease of working relationship, appropriate and timely communication, receptiveness to client's ideas and/or criticism, quality or work performed, adherence to budget and project timeline.

13.4 Completeness and Quality of Proposal

The Selection Committee will review the proposal for completeness and if it is informative and detailed.

A highly advantageous proposal will be complete and detailed, and will include a thoughtful and well organized response to the RFP that is specific to the site.

An advantageous proposal will be complete, detailed, well-organized, and specific to the site.

A non-advantageous proposal may be incomplete, poorly organized and lacking in detail or specificity to the site.

14.0 INSURANCE

The successful Respondent shall provide and maintain throughout the term of the Contract the following insurance with companies that are authorized and licensed in the Commonwealth of Massachusetts to issue policies for the coverage's and limits so required.

- Workers' Compensation Insurance as required by the laws of the Commonwealth of Massachusetts and employer's liability in the amount of \$500,000/\$500,000/\$500,000
- Commercial General Liability, \$1,000,000 each occurrence and \$3,000,000 aggregate limit. XCU coverage shall be included.
- Automobile Liability - Covering owned, hired and non-owned vehicles, combined single limit of \$1,000,000.
- Excess Liability Insurance, Umbrella Form, \$2,000,000 each occurrence and \$2,000,000 aggregate, which shall be following form, providing coverage over commercial general liability, automobile liability, and employer's liability under workers' compensation.

- Additional Insured's - Each policy of liability insurance other than employer's liability under workers' compensation shall name the Town of Egremont and its officers, employees, boards, commissions and committees as additional insured's.
- Cancellation or Amendment - Each policy of insurance required to be purchased and maintained by the selected Respondent, and the certificate or other evidence thereof, shall contain a provision or endorsement that the coverage afforded will not be cancelled or materially amended and no renewal will be refused until at least thirty (30) days' prior written notice has been given to the Egremont Board of Selectmen.
- Failure to Provide and Maintain Insurance - Failure to provide and continue in force such insurance shall constitute a material breach of the Lease Agreement and shall be grounds for immediate termination thereof by and in the sole discretion of the Egremont Board of Selectmen.

Certificate of Non-Collusion

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of individual submitting bid or proposal

Name of business

Tax Compliance Certification

Pursuant to M.G.L. c. 62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature of person submitting bid or proposal

Name of business